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ABRAHAM AGUIRRE
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 ABRAHAM AGUIRRE,

15 Defendant.
16
17

Case No. 1:21-mj-00094-SAB

**UNOPPOSED MOTION FOR RULE 43
WAIVER OF APPEARANCE; ORDER**

18 Pursuant to Federal Rule of Criminal Procedure 43(b)(2) and (3), Abraham Aguirre,
19 having been advised of his right to be present at all stages of the proceedings, hereby requests
20 that this Court permit him to waive his right to personally appear at the July 20, 2023 motion
21 hearing.

22 Mr. Aguirre previously was granted a Rule 43 waiver in this case. (ECF #8). In a June
23 16, 2023, scheduling order, this Court ordered that Mr. Aguirre appear for the motion hearing
24 scheduled on July 20, 2023. (ECF #28). After briefing was completed, undersigned counsel
25 conferred with government counsel, and both agreed that there is no need to present evidence at
26 the hearing beyond that presented in the parties' exhibits.

27 Government counsel does not oppose this motion.

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Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: July 14, 2023

/s/ Laura Myers
LAURA MYERS
Assistant Federal Defender
Attorney for Defendant
ABRAHAM AGUIRRE

ORDER

Defendant's request for a waiver of appearance is granted. Pursuant to Rule 43(b)(2) and (3), defendant's appearance is waived for the July 20, 2023, motion hearing.

IT IS SO ORDERED.

Dated: July 14, 2023


UNITED STATES MAGISTRATE JUDGE